

# EXHIBIT A

**From:** [Ron Berutti](#)  
**To:** [Roshan Shah](#)  
**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); [Karla Kisooun](#)  
**Subject:** RE: Testing  
**Date:** Friday, June 28, 2024 11:31:38 AM

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Roshan,

We approve of the below. If possible, let's get the status update to Judge Kastner today.

Thank you.

Ronald A. Berutti

**Murray-Nolan Berutti LLC**

136 Central Avenue

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908-588-2111

Ron@MNBlawfirm.com

Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

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212-575-8500

*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [RShah@andersonshahlaw.com]

Sent: Friday, Jun 28 2024 10:33 AM

To:

Cc: Matthew.Lynch@law.njoag.gov,karla@mnblawfirm.com

Subject: RE: Testing

The proctor will be someone from Kingwood Middle School. It's not a district employee and is not



someone we control either. Moreover, as you're aware, there are limits on restricting employee speech in this specific sphere. We will provide them with the student's birth name and leave it at that. Assuming Jane doesn't force the issue, it shouldn't be an issue.

We are trying to set up dates in the next few weeks. Each exam is 84 minutes and she can take up to three in one day.

---

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>  
**Sent:** Thursday, June 27, 2024 1:58 PM  
**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>  
**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Karla Kisoos <[karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)>  
**Subject:** Re: Testing

Roshan,

While our client will certainly express to his daughter that she should not initiate conversation regarding gender preferences, whether she comports with such expression by our client is something beyond our client's control. For purposes of this compromise, we do require assurance that the proctor will be instructed not to call our client's daughter by a mail name. If a situation arises where this becomes an issue, and in the spirit of compromise, our client would consent to her being called "Student Heaps".

Please advise.

Thank you.

Ronald A. Berutti

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Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

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212-575-8500

*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Thursday, Jun 27 2024 1:51 PM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)

Subject: Re: Testing On (2), the board will calculate grades in the normal course, no special treatment or rules.

On (1), the district will not have an employee there to proctor the exam. The third party will be someone from Kingwood Middle School. We're working on minimizing contact between the proctor and the student to avoid the issue altogether. We would like some assurances that Jane won't be initiating any conversation or requests re: gender preferences either.

Sent from my iPhone

On Jun 27, 2024, at 1:32 PM, Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)> wrote:

Roshan,

Please confirm (1) that our client's daughter will not be referred to by a boy's name; and (2) that the school district will provide final grades for our client's daughter, subject to the district's claims that she may not advance.

Thank you.

Ronald A. Berutti

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[Ron@MNBlawfirm.com](mailto:Ron@MNBlawfirm.com)

Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Thursday, Jun 27 2024 1:19 PM

To: [Matthew.lynch@law.njoag.gov](mailto:Matthew.lynch@law.njoag.gov)

Subject: Testing

Ron,

The school district has arranged for Kingwood Middle School to proctor final exams. I'll provide the dates. Let me know if you have an objection to that. I believe we have a status report due today.

- Roshan

Sent from my iPhone

# EXHIBIT B

Tue Jul 02 2024 14:15:01 GMT-0400 (Eastern Daylight Time)

**Subject:** Re: Letter to  
**From:** ron@mnblawfirm.com  
**Date:** 7/2/2024 1:56 PM  
**To:** RShah@andersonshahlaw.com  
**Cc:** Matthew.Lynch@law.njoag.gov, karla@mnblawfirm.com  
**Matter:**  
**-Type or Select Matter/Lead-**

Whatever, man. You can believe what you want. None of this is necessary and you just proved the point that this all is about your ulterior motives. Please show me the draft.

Ronald A. Berutti  
MURRAY-NOLAN BERUTTI LLC  
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(212) 575-8500  
(Please respond to NJ Office)

Sent from my iPhone. Kindly excuse any typo caused by my finger.

On Jul 2, 2024, at 1:43 PM, Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)> wrote:

I made a proposal, you accepted it. I'm simply asking that you honor the original agreement. That's not gotcha and I don't see how it's an advantage one way or the other.

This just underscores the need for separate counsel for Jane. This whole issue could've been wrapped up in five minutes by speaking with that person.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>  
**Sent:** Tuesday, July 2, 2024 1:40 PM



To: Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Karla Kisoon <[karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)>

Subject: RE: Letter to

Whatever, Roshan. You are wasting time and resources because you are looking for an advantage. Let's see your latest draft, though, since this is what you want to do. I too can attach communication. Let there be no mistake: I asked you to avoid this entire superfluous and irrelevant subject so that Judge Castner is not burdened with it. It adds absolutely nothing and is a "gotcha" game.

Ronald A. Berutti

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Tuesday, Jul 2 2024 1:31 PM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)

Subject: RE: Letter to

That's a change of position from 20 minutes ago. That's not "gotcha," that's your client changing your mind and blaming me for it instead of just owning up to the change.



**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>  
**Sent:** Tuesday, July 2, 2024 1:29 PM  
**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>  
**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Karla Kisoona <[karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)>  
**Subject:** RE: Letter to

Then I will revise my letter to reflect that my client is very uncomfortable doing this. Please provide your latest draft if you must. You are wasting time and creating controversy with your "gotcha" game for no reason at all.

Ronald A. Berutti

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Tuesday, Jul 2 2024 1:25 PM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)

Subject: RE: Letter to

Ron,

On June 27<sup>th</sup>, you wrote the following: "While our client will certainly express to his daughter that she should not initiate conversation regarding gender preferences . . ." We're not asking for anything different.

We're just going to attach the relevant e-mail thread. Our revised letter is attached.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>  
**Sent:** Tuesday, July 2, 2024 12:37 PM  
**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>  
**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Karla Kisoon <[karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)>  
**Subject:** RE: Letter to

See the attached. Again, I suggest that the competing sections be removed since they are superfluous.

Ronald A. Berutti

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Tuesday, Jul 2 2024 11:52 AM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)

Subject: RE: Letter to

The scope of our agreement is contained within my prior e-mail and the letter to the court.

And your client has control over what he tells his child.

Like I said, I'm not interested in litigating the matter over e-mail.

Please update the letter. Thanks.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Tuesday, July 2, 2024 11:50 AM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Karla Kisoorn <[karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)>

**Subject:** RE: Letter to

My client has no sway over that. As you saw from her submission, Jane just wants to be able to take her exams. She is proud of the school work she has done. You are asking me to have my client inject the gender issue into the equation. Whether my client does that or not is not going to stop Jane from doing what Jane will do. The family relations were damaged by this entire fiasco caused by your clients. We are not going to initiate more potentially damaging dialogue into a situation that does not require it when (1) all parties to this litigation agree that she will be treated neutrally; and (2) she is focused on school work, which is what she is supposed to be focused on.

Ronald A. Berutti

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Website: [www.MNblawfirm.com](http://www.MNblawfirm.com)

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Tuesday, Jul 2 2024 11:45 AM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)

Subject: RE: Letter to

If there's an incident—which would presumably only occur if Jane went ahead and made a demand about her gender—then I want to create a record that we tried to stop that demand from taking place.

If you believe that's bad faith, then write that.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Tuesday, July 2, 2024 11:43 AM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Karla Kisoon <[karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)>

**Subject:** RE: Letter to

What is your point in raising this with the Judge. All that she wants to know is whether we have reached a compromise position. We have. That you want my client to instruct his daughter and that my client wants no part of that makes no difference to whether we have reached a compromise. What you are doing is trying to tilt the Judge's perspective of the parties for no reason. If I must do so I will let the Court know that I believe your whole section is simply written with no other purpose and is made in bad faith.

Ronald A. Berutti

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Tuesday, Jul 2 2024 11:27 AM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)

Subject: RE: Letter to

Great, please add your position to this letter.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Tuesday, July 2, 2024 11:16 AM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Karla Kisoona <[karla@mnblawfirm.com](mailto:karla@mnblawfirm.com)>

**Subject:** RE: Letter to

That's fine.

Ronald A. Berutti

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Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Tuesday, Jul 2 2024 11:14 AM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [kiari355@gmail.com](mailto:kiari355@gmail.com)

Subject: RE: Letter to

The proctor is not an employee of the district. Our communications with the proctor will be consistent with my prior e-mails, which is we will notify the proctor of her birth name and leave it at that.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Tuesday, July 2, 2024 11:11 AM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); [kiari355@gmail.com](mailto:kiari355@gmail.com)

**Subject:** RE: Letter to

Roshan,

What is ridiculous? That my client wants his daughter to focus on exams? That the wedge driven by your client between my client and his daughter is damaging?

The bottom line is that we agree that Avery may be treated neutrally. There is no need for an "e-mail war." You simply can write that the parties agree that the proctor will treat Jane Doe neutrally.

Ronald A. Berutti

**Murray-Nolan Berutti LLC**

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[Ron@MNBlawfirm.com](mailto:Ron@MNBlawfirm.com)

Website: [www.MNBlawfirm.com](http://www.MNBlawfirm.com)

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Tuesday, Jul 2 2024 11:08 AM

To:

Cc: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov), [kiari355@gmail.com](mailto:kiari355@gmail.com)

Subject: RE: Letter to

That's nonsensical. I'm not going to get into an e-mail war with you. I'm just going to note that we asked for this and your client declined.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Tuesday, July 2, 2024 11:04 AM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>

**Cc:** [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov); Karla Kisoon <[kiari355@gmail.com](mailto:kiari355@gmail.com)>

**Subject:** Re: Letter to

My client wants his daughter to be able to take her exams focusing on school. You apparently have no appreciation for the damage to family relations that your client's conduct has caused. My client will not make Avery's exams about gender. He will make it about ensuring that she is prepared for the exams.

Ronald A. Berutti

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(Please respond to NJ Office)

Sent from my iPhone. Kindly excuse any typo caused by my finger.

On Jul 2, 2024, at 10:03 AM, Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)> wrote:

Ron,

They're already injected. We're not asking for a representation about what she may or may not say. Your client can advise her to not raise the issue. That's all we're asking. This is starting to feel like a setup.

**From:** Ron Berutti <[ron@mnblawfirm.com](mailto:ron@mnblawfirm.com)>

**Sent:** Monday, July 1, 2024 3:13 PM

**To:** Roshan Shah <[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)>; [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov)

**Subject:** RE: Letter to



Roshan,

My client will not instruct his daughter not to discuss her gender, as you indicated. His daughter is not our client and we cannot make any representation as to what she may or may not say.

Ronald A. Berutti

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*Please reply to New Jersey*

-----Original message-----

From: "Roshan Shah" [[RShah@andersonshahlaw.com](mailto:RShah@andersonshahlaw.com)]

Sent: Monday, Jul 1 2024 3:07 PM

To: [Matthew.Lynch@law.njoag.gov](mailto:Matthew.Lynch@law.njoag.gov)

Subject: Letter to

Ron, Matt:

Attached is the draft letter to the court.

1. Roshan